IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
JUDGES ORDER NO. OF 2006
IN
GUARDIANSHIP PETITION NO. 56 OF 2006

In re:

Mrs Sushila Pappu Lad ... Petitioner

Ms.Julie George for Petitioner

CORAM : SMT R.S.DALVI, J

DATE : 17th January, 2007

P.C.

1. The petitioner who is the paternal aunt of 3 minor children Nilesh Lad, Divya Lad and Yajesh Lad, whose parents have expired. She has applied for being appointed their guardian.

2. A room being Room No.3, in Janardan Mhatre chawl, Bhagali Pada, Anand Nagar, Link Road, Dahisar (West) Bombay-68 belonged to the father of the children. The children are the sole beneficiaries as his legal heirs. That room is required to be demolished for road widening by the M.M.R.D.A. Alternate accommodation, temporary or permanent, which is to be provided by the

M.M.R.D.A. upon demolition of the room has to be provided to the minors in the name of the minors showing the petitioner as their guardian.

3. There is a savings bank A/c No.9840 in Union Bank of India, Dahisar Branch of the deceased father of the children, 2 Term Deposit Receipts invested in the names of 2 of the 3 children and an investment in a Daam Duppat Scheme in the name of 1 child.

4. The amounts in all these investments and the Bank A/c together with the accrued interest belongs equally to the 3 children of the deceased father. At the time of maturity of the investments, the amount has to be realised and credited to one Bank A/c in the joint names of the minors operated by their guardian during their minority.

5. Hence, the following order:

> The petitioner is appointed guardian of the 3 minor children of her husband's pre-deceased brother being Nilesh Lad, Divya Lad, and Jayesh Lad. M.M.R.D.A. shall transfer Room no. 3 in the names of the aforesaid 3 children showing the petitioner

as their guardian. M.M.R.D.A. shall give temporary or permanent accommodation in place of Room no.3 in the joint names of the said 3 children showing the petitioner as guardian. That property shall continue in the names of the 3 children.

Savings bank A/c No.9840 in Union Bank of India, Dahisar Branch shall now stand transferred to the joint names of the aforesaid minor children showing the petitioner as guardian.

The petitioner shall apply for and obtain the proceeds of the 2 Term Deposits and the Daam Deposit Scheme along with all acrued interest in the joint names of the 3 minor children, showing her as their guardian by an A/c Payee cheque and deposit the same in the joint A/c of the 3 minors being A/c No.9840 in Union Bank of India, Dahisar Branch.

The petitioner shall thereafter invest the entire balance to the credit of the aforesaid Bank A/c in a FDR of a nationalised bank in the joint names of the

3 minor children showing her as their guardian.

The said amount shall also belong to the 3 children jointly.

The petitioner as the guardian shall be entitled to withdraw the interest amount of such FDR for the maintenance of the children.

The principal amount received on maturity of the FDR shall be re-invested in the joint names of the 3 children until they attain majority.

(Smt R.S.Dalvi,J)